IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 12 of 1999

with

FIRST APPEAL No 13 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE M.H.KADRI
and
Hon'ble MR.JUSTICE H.H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

GSRTC

Versus

SONAL DILIPBHAI SOLANKI

Appearance:

1. First Appeal No. 12 of 1999
   MRS VASAVDATTA BHATT for Petitioner No. 1
   RULE SERVED for Respondent No. 1
   DELETED for Respondent No. 2
2. First Appeal No. 13 of 1999
   MRS VASAVDATTA BHATT for Petitioner No. 1
   NOTICE SERVED for Respondent No. 1

CORAM : MR.JUSTICE M.H.KADRI

and

MR.JUSTICE H.H.MEHTA

Date of decision: 19/12/2001

ORAL JUDGEMENT

(Per : MR.JUSTICE M.H.KADRI)

The challenge in both the appeals is with regard to award of interest granted by the Tribunal at the rate of 15% on the awarded amount of compensation. The Division Bench of this Court (Coram: Y.B.Bhatt & H.H.Mehta, JJ.) by the order dated 17.10.2001 passed in First Appeal No.4734 of 2001 has awarded the interest on the amount of compensation at the rate of 12% from the date of the filing of the petition till December 31, 1999, and thereafter at the rate of 9% per annum till realisation. In view of the decision of the Division Bench, these appeals are partly allowed. The interest awarded to the claimant at the rate of 15% per annum from the date of the filing of application till the date of realisation is modified to the aforesaid extent. The claimants shall be entitled to the interest from the date of filing of the petition till 31.12.1999 at the rate of 12% and thereafter at the rate of 9% per annum till realisation. Appeals are allowed to the above extent. Awards be modified accordingly. No order as to costs.

(M.H.Kadri, J.)

(H.H.Mehta, J.)

(mohd)